

REMARKS

This is a substitute to the responses submitted on December 23, 2004 and December 28, 2004 which failed to respond all the objections and rejections by the Examiner. Applicants thus respectfully request that the two previous responses be ignored, and the examination shall be made solely on this response.

This is responsive to the final Office Action dated December 8, 2004 in the above-identified application. In the Office Action, the Examiner rejects all the pending claims except dependent claims 23-25 and 31-34. Dependent claims 23-25 and 31-34 are admitted to have allowable subject matter. Moreover, the Specification and some claims are objected to for improper languages or rejected under 35USC §112

Applicants have amended the Specification to delete the hyperlink so as to overcome the objection by the Examiner as to the Specification.

Applicants have further amended the claims, and respectfully submit that, after the amendment, the claims are in good condition for allowance.

In the amendment, claims 1-20 have been cancelled without prejudice, and therefore Applicants respectfully submit that all the grounds for the objections and rejections as to claims 1-20 have been removed.

Improper claim languages as objected to by the Examiner have also been amended following the suggestions of the Examiner, except that "access server" in claim 36 remains unchanged. Applicants respectfully submit that the access server, like the backup server to which it is connected, is a component part of the service provider system (included in the "saving means" as defined in claim 29). Applicants have also deleted the language "if it has not found ... identified data increment" in claim 27 without prejudice.

Independent claim 21 is amended to incorporated the allowable subject matter defined in dependent claim 23, and therefore is believed now allowable. Dependent claim 23 is cancelled, and dependent claims 24 and 28 are amended to be dependent directly to amended independent claim 21. Dependent claims 22 and 24-28 are believed also allowable for including all the limitations in independent claim 21.

Independent claim 29 is amended to incorporated the allowable subject matter defined in dependent claim 32, and therefore is believed now allowable. Dependent claim 32 is cancelled, and dependent claims 33 and 34 are amended to be dependent directly to amended independent claim 29. Claim 36 is amended to be dependent to claim 34 so as to have a proper antecedent basis (the "backup server"). Dependent claims 30-31 and 33- 36 are believed also allowable for including all the limitations in independent claim 29.

Newly added independent claim 37 is a rewritten form of the original dependent claim 31 in an independent form and including all the limitations in original independent claim 29. Claim 37 is thus believed allowable as admitted by the Examiner.

Applicants respectfully submit that all the remaining claims 21 – 37 are now in good condition for allowance, and thus respectfully request allowance in view of the amendments. The Examiner is authorized to deduct additional fees believed due from our Deposit Account No. 11-0223.

Respectfully submitted,

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Dated: December 29, 2004